



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF PLUMBING AND HVACR EXAMINERS

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PUBLIC MEETING MINUTES:	BOARD OF PLUMBING & HVACR EXAMINERS
MEETING DATE AND TIME:	Tuesday, April 12, 2016 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon
MINUTES APPROVED:	May 10, 2016

MEMBERS PRESENT

Charles Robbins, Professional Member, President
Frank Beebe, Professional Member
John Mills, Professional Member
Harold Caswell, Professional Member, Vice President
James Anderson, Public Member
Matthew Reilly, Professional Member
Sheila Littleton, Public Member

MEMBERS ABSENT

Craig Tenaro, Professional Member
John Brady, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Kevin Maloney, Deputy Attorney General
Latonya Brown, Administrative Specialist II

OTHERS PRESENT

CALL TO ORDER

Mr. Robbins called the meeting to order at 8:40 am.

REVIEW OF MINUTES

A motion was made by Mr. Mills, seconded by Mr. Caswell, to approve the March 8, 2016 minutes. The motion carried unanimously.

NEW BUSINESS

Review of Examination Applications

A motion was made by Mr. Robbins, seconded by Mr. Caswell, to table the Master HVACR application of Nicholas Watts. The Board is requesting proof of 7 years of supervision under a licensed Master HVACR or show 7 years of W-2's or schedule C's, with a letter of explanation regarding his HVACR experience. The motion carried unanimously.

A motion was made by Mr. Robbins, seconded by Mr. Caswell, to table the Master HVACR Restricted application of Russel DeFuria. The Board is requesting proof of HVACR experience. The motion carried unanimously.

A motion was made by Mr. Robbins, seconded by Mr. Caswell, to approve Michael Freeman to take the Master Plumber By-pass exam. The motion carried unanimously.

Review of Reciprocity Applications

A motion was made by Mr. Caswell, seconded by Mr. Mills, to approve the Master Plumber application of William Cooper. The motion carried unanimously.

A motion was made by Mr. Caswell, seconded by Mr. Mills, to approve the Master Plumber application of William Ellis. The motion carried unanimously.

A motion was made by Mr. Caswell, seconded by Mr. Mills, to approve the Master Plumber application of John Hartnett. The motion carried unanimously.

Ratification of Applications

A motion was made by Mr. Caswell, seconded by Mr. Mills, to ratify the applications of:

- Paul Eline, MD, Master HVACR
- Richard Gray, MD, Master Plumber
- Mark Bowen, MD, Master HVACR
- Nelson Peguero Jr., MD, Master HVACR
- Wheeler Thompson III, MD, DC, VA, Master HVACR
- Barry Shirey, MD, Master HVACR Restricted
- David Tyler Jr., MD, Master Plumber

The motion carried unanimously.

Examination Passing Results

The Board reviewed the examination results that showed out of 1 HVACR candidates, 0 had a passing score.

The Board reviewed the examination results that showed out of 3 Plumbing candidates, 2 had a passing score: Thomas Borsello and Joseph Touchton.

Discussion of Corrugated Stainless Steel Tubing (CSST Pipes)

At the last meeting Mr. Pyle (from the Board of Home Inspectors) stated that someone should be in charge of regulating the bonding of the CSST pipes. The Board stated that bonding is done by electricians and that this should be geared towards the Electrical Board. Mr. Maloney stated that he will discuss this with the electrical board at its next meeting.

Review of Crime list

Mr. Maloney stated that the purpose of reviewing the crimes list is because the Governor's office would like to get people back into the work force. He suggested that board eliminate or add any crimes to their list. Mr. Maloney also stated that he doesn't think anything needs to be amended to this board's crime list. Mr. Mills suggested looking at Title 11 Section 1835 Violation of Privacy. Mr. Maloney suggested that the Board look at the list and decide if there are any other amendments needed. Mr. Maloney also suggested keeping this on the agenda and to review it every month, in case we have other regulatory changes to make. Mr. Maloney referred the board to the medical licensure's crime list to review and see if there are any crimes from that list that

could be added. He will email the medical board's crime list to Ms. Brown and Ms. Brown will forward it to the board.

NCC-Code Modification

Mr. Robbins gave the board a Request for Code Modification form to review. New Castle County uses this form for code modifications and wanted clarification from the Board whether they can continue using the form. NCC wants to make sure that it does not violate any state code issues. Mr. Maloney stated that our code mentions that licensees have to comply with the IMC and IFC codes. The Plumbing Code is regulated by Public Health. Mr. Maloney stated that there is a provision for a way to modify the codes, but it does not state on a case by case basis and to get a waiver granted by NCC. Mr. Caswell mentioned that it states in the code that each city can change the code to equal or better. Mr. Maloney stated that NCC cannot issue a modification to the IFC or IMC code; he is not sure about the IPC code since it's regulated by Public Health. Mr. Robbins stated that he has never seen a modification for the IFC or IMC. Mr. Maloney stated that the Board only has the authority to modify the IFC and IMC code, not to make exceptions on a case by case basis. Mr. Maloney stated that our statute states that we have to comply by the code; there is no provision in the statute that says you can waive the requirements of the IMC or IFC, on a case by case basis. Mr. Maloney reviewed the Delaware License Law Section 1806 (d), with the board. Mr. Robbins stated that he will let NCC know that unless they submit amendments to the state board for approval, they cannot issue a code modification for the IMC and IFC codes. They would have to get approval by the Department of Health to issue a modification for plumbing since they regulate the IPC.

Delegate Letter- Authority to the Vo-tech Schools

Ms. Brown informed the Board that Lisa Stoner-Torbert at Department of Education stated that they will not conduct any further by-pass testing until the Board grants authority to the individual technical schools, to delegate the administration of the exam to ABC. Mr. Maloney stated that he will come up with a letter to the three technical schools.

CORRESPONDENCE

State Approval- Water Heater Plans

Chris Eyrich sent an email addressed to the Board requesting state approval for water heater pan use as an equal to metal pans in Delaware. Mr. Eyrich stated that water heater pans are ICC approved. The Board stated that the Delaware Board of Plumbing & HVACR follows the International Code Council. If the ICC approves the water heater pans, so does Delaware.

OTHER BUSINESS BEFORE THE BOARD

Discussion of Possible Licensure of a Journeyman & Apprentice

The Board decided not to discuss possible licensure of a journeyman and apprentice at this time.

Workplace Fraud

Mr. Caswell reviewed an email from Ed Capadonna regarding the law on the book called Workplace Fraud that does not allow independent contractors to perform work. It also does not allow contractors to sub work out to other subs in their same trade. It is enforced through the Department of Labor and any questions regarding this should be addressed to the State Labor Board.

PUBLIC COMMENT

No Public Comment.

NEXT SCHEDULED MEETING

The next board meeting will be held on May 10, 2016 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

A motion was made by Mr. Beebe seconded Mr. Caswell, to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 10:20 am.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "LaTonya Brown". The signature is stylized with a large, looped "L" and a cursive "Brown".

LaTonya BROWN
Administrative Specialist II